

DENNIS L. KENNEDY
Nevada Bar No. 1462
JOSEPH A. LIEBMAN
Nevada Bar No. 10125
BAILEY ♦ KENNEDY
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148-1302
Telephone: 702.562.8820
Facsimile: 702.562.8821
dkennedy@baileykennedy.com
jliebman@baileykennedy.com

*Attorneys for Defendant R.J.
Reynolds Tobacco Company*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CLEVELAND CLARK, individually, and
YVONNE CLARK, individually,

Plaintiffs,

vs.

PHILIP MORRIS USA, INC., a foreign
corporation; R.J. REYNOLDS TOBACCO
COMPANY, a foreign corporation,
individually, and as successor-by-merger to
LORILLARD TOBACCO COMPANY and as
successor-in-interest to the United States
tobacco business of to BROWN &
WILLIAMSON TOBACCO CORPORATION,
which is the successor-by-merger to THE
AMERICAN TOBACCO COMPANY;
LIGGETT GROUP, LLC., a foreign
corporation; and JOHN SMOKE SHOP &
GIFT SHOP, a for profit corporation,

Defendants.

Case No.: 2:19-cv-01495-JAD-BNW

**STIPULATION AND ORDER TO SET
DEADLINE FOR DEFENDANTS R.J.
REYNOLDS TOBACCO COMPANY,
PHILIP MORRIS USA, INC., AND
LIGGETT GROUP, LLC TO RESPOND
TO PLAINTIFFS' AMENDED
COMPLAINT**

(First Request)

**STIPULATION AND ORDER TO SET DEADLINE FOR DEFENDANTS R.J. REYNOLDS
TOBACCO COMPANY, PHILIP MORRIS USA, INC., AND LIGGETT GROUP, LLC TO
RESPOND TO PLAINTIFFS' AMENDED COMPLAINT**

Plaintiffs Cleveland Clark and Yvonne Clark (“Plaintiffs”), and Defendants R.J. Reynolds Tobacco Company (“R.J. Reynolds”), Philip Morris USA, Inc. (“Philip Morris”), and Liggett Group, LLC (“Liggett”), by and through their respective counsel, stipulate and agree as follows:

1. On August 12, 2019, Plaintiffs filed a Complaint against R.J. Reynolds, Philip Morris, and Liggett in the Eighth Judicial District Court, Clark County, Nevada.

2. On August 14, 2019, Plaintiffs effectuated service of the Complaint on R.J. Reynolds, Philip Morris, and Liggett through their registered agents for service of process.

3. On August 19, 2019, Plaintiffs filed an Amended Complaint against R.J. Reynolds, Philip Morris, and Liggett in the Eighth Judicial District Court, Clark County, Nevada.

4. On August 22, 2019, Plaintiffs effectuated service of the Amended Complaint on R.J. Reynolds, Philip Morris, and Liggett through their registered agents for service of process.

5. On August 27, 2019, R.J. Reynolds, Philip Morris, and Liggett filed a Notice of Removal, removing this action to this Court.

6. Due to the filing of two pleadings, as well as removal to this Court, there is some uncertainty as to the appropriate response date for R.J. Reynolds, Philip Morris, and Liggett.

7. Thus, Plaintiffs, R.J. Reynolds, Philip Morris, and Liggett have agreed to set a deadline of September 16, 2019, for R.J. Reynolds, Philip Morris, and Liggett to respond to the Amended Complaint.

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8. This is the first stipulation to extend the deadline to file a response to the Amended Complaint. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 30th day of August, 2019.

DATED this 29th day of August, 2019.

CLAGGETT & SYKES LAW FIRM

BAILEY ♦ KENNEDY

By: /s/ Matthew S. Granda
SEAN K. CLAGGETT
WILLIAM T. SYKES
MATTHEW S. GRANDA
401 Meadows Lane, Ste. 100
Las Vegas, NV 89107

By: /s/ Joseph Liebman
DENNIS L. KENNEDY
JOSEPH A. LIEBMAN
8984 Spanish Ridge Avenue
Las Vegas, NV 89148

Attorneys for Plaintiffs

Attorneys for the Defendant R.J. Reynolds Tobacco Company

DATED this 29th day of August, 2019.

DATED this 29th day of August, 2019.

WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC

LEWIS ROCA ROTHGERBER CHRISTIE

By: /s/ D. Lee Roberts, Jr.
D. LEE ROBERTS, JR.
6385 S. Rainbow Boulevard, Suite 400
Las Vegas, Nevada 89118

By: /s/ J. Christopher Jorgensen
DANIEL F. POLSENBERG
J. CHRISTOPHER JORGENSEN
3993 Howard Hughes Parkway, #600
Las Vegas, NV 89169

Attorneys for Defendant Philip Morris USA, Inc. *Attorneys for Defendant Liggett Group, LLC*

IT IS SO ORDERED.



UNITED STATES MAGISTRATE JUDGE

September 3, 2019
DATED: _____